

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
VINCENT ASPROMONTE,

Plaintiff(s),

-against-

PLUMBERS AND PIPEFITTERS NATIONAL  
PENSION FUND,

Defendant(s).

-----X

**WALL, Magistrate Judge:**

Before the court is a motion to compel responses to interrogatories and document demands, filed by the defendant on November 26. DE[6]. As of the date of this order, the motion is unopposed and the date for timely opposition has expired. The motion is granted.

The record reflects that a Rule 26(f) conference was held and a joint Rule 26(f) report was docketed. DE[4]. The defendant reports that it served interrogatories and document demands on the plaintiff on October 1, and there has been no response, despite good faith efforts to resolve the dispute. The plaintiff is directed to provide responses to the discovery demands no later than **January 7, 2009** and to pay the defendants \$300 in reasonable expenses pursuant to Federal Rule of Civil Procedure 37(a)(5)(A). Objections to the interrogatories are waived pursuant to Rule 33(b)(4). **The plaintiff is warned that failure to comply with this order may result in a recommendation of dismissal of the action with prejudice.**

A discovery conference will be held in Courtroom 820 of the Federal Courthouse in Central Islip on **January 9, 2009 at 11:00 a.m.**

Dated: Central Islip, New York  
December 17, 2008

**SO ORDERED:**

/s/ William D. Wall  
WILLIAM D. WALL  
United States Magistrate Judge